RESOLUTION 2025-###

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO DECLARING CERTAIN REAL PROPERTY LOCATED AT 3400 SAN PABLO DAM ROAD (ASSESSOR'S PARCEL NO. 420-020-012) AS SURPLUS LAND PURSUANT TO THE CALIFORNIA SURPLUS LAND ACT AND DIRECTING STAFF TO INITIATE THE STATUTORY DISPOSITION PROCESS

WHEREAS, on July 15, 2024, the City Council adopted Resolution 24-273 directing the City Manager to explore the feasibility of, and prepare, the City-owned property located at 3400 San Pablo Dam Road (Assessor's Parcel No. 420-020-012) for potential disposition and development;

WHEREAS, the California Surplus Land Act (Government Code §§ 54220–54234) ("SLA") mandates that prior to disposing of publicly owned land, the governing body must formally declare the land surplus in a public meeting;

WHEREAS, the City of San Pablo is the owner of certain real property located at 3400 San Pablo Dam Road, identified as Assessor's Parcel Number 420-120-012, consisting of approximately 0.58 acres;

WHEREAS, the property is currently zoned CR – Regional Commercial and designated as Regional Commercial in the City's General Plan;

WHEREAS, the property is currently vacant and not being utilized for any public purpose;

WHEREAS, City staff has reviewed the property and determined that it is not currently needed for City operations and is unlikely to be in the future; and

WHEREAS, the property is not exempt from the requirements of the California Surplus Land Act (Government Code Sections 54220 et seq.);

WHEREAS, declaring the property as surplus land will ensure compliance with the SLA's requirements for public notice, priority negotiation with eligible entities, and documentation of the disposition process; and

WHEREAS, this proposed action is not a project as defined by the California Environmental Quality Act; Alternatively, this resolution is exempt from environmental review under CEQA in accordance with CEQA Guidelines Section 15378(B)(5) because it can be seen with certainty that there is no potential for causing a significant effect on the environment because the project solely involves an administrative activity and does not authorize any construction or development activities.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Pablo hereby finds and declares as follows:

1. Findings. The recitals set forth above are true and correct and incorporated herein by reference as findings of fact.
2. Surplus Declaration. The City Council hereby determines and declares that the real property located at 3400 San Pablo Dam Road, identified as APN 420-020-012, is “Surplus Land” as defined under Government Code § 54221(b).
3. Initiation of SLA Procedures. The City Manager, or designee, is authorized and directed to:
    a. Provide written notice in accordance with Government Code § 54222 to the California Department of Housing and Community Development and any public agencies and housing sponsors that have registered interest in surplus land;
    b. Offer at least 25 % of units as affordable to lower-income households if the land is viable for housing;
    c. Allow a 60-day response window for interested entities;
    d. Engage in good-faith negotiations with any responding entity for a period of at least 90 days; and
    e. Fully document all notices, responses, and negotiations for HCD review, as may be necessary.
4. Reservation of Rights. This Resolution does not impose an obligation to sell or lease the property, nor does it require acceptance of any offer received; the City retains full discretion regarding the property’s ultimate disposition, consistent with law.

5. Notice of Availability (NOA) Solicitation Actions. Following compliance with the State Surplus Land Act (SLA) requirements under AB 1486 in effect since January 1, 2020, the City Manager and staff will solicit formal interest from a private, third-party commercial broker or specialized consultant on the appropriate disposition of City owned property through a NOA solicitation process, including negotiations with private developer respondents to enhance the City's goal of value capture associated with the City's disposition process and with any City-supported economic development-based transactions. This may or may not include further subsequent City Council, Local/Housing Successor Agency, County Oversight Board, California Department of Finance ("DOF"), and/or California Department of Housing and Community Development ("HCD") authorizations as may be required.

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ADOPTED this 20th day of October, 2025, by the following votes:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

ATTEST:

APPROVED:

Dorothy Gantt, City Clerk

Arturo Cruz, Mayor